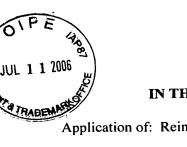
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rein et al.

Serial No.: 09/980,727

Filed: July 8, 2002

Confirmation No.: 8812

Art Unit: 1618

Examiner: Simon J. Oh

For: METHOD FOR PRODUCING A WATER-INSOLUBLE **AMORPHOUS OR PARTIALLY AMORPHOUS CONTROLLED-RELEASE MATRIX**

Attorney Docket No: 11390-009-999

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 11, 2006 of the Primary Examiner finally rejecting claims 1, 4-6, 10, 16-18, and 20-23 of the above-identified application.

The item(s) checked below are appropriate:

- An extension of time for responding to the final rejection for three (3) month(s): \boxtimes 1.
 - was filed on
 - \boxtimes is submitted herewith.
- A timely response to the final rejection has been filed. 2. 11
- \mathbf{X} A fee in the amount of \$500.00 is: 3.
 - Required.
 - Not required (Fee paid in prior appeal).
- Applicant has qualified for the 50% reduction in fee for an independent inventor, 4. non-profit organization or small business concern and a fee in the amount of \$250.00 is:
 - Required.
 - Not required (Fee paid in prior appeal).
- Please charge the required fee, if any, to Jones Day Deposit Account No. 50-5. \boxtimes 3013. A copy of this sheet is enclosed.

Respectfully submitted,

by Handh pris 30,605

Date: July 11, 2006

07/17/2006 WABDELR1 00000010 503013 09980727

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Samuel B. Abrams JONES DAY 222 East 41st Street New York, New York 10017 (212) 326-3939